

IN THE
INDIANA SUPREME COURT

In the matter of

Cass County Local Caseload Plan

REQUEST FOR EXCEPTION TO FORTY (40) PER CENT UTILIZATION
VARIANCE IN THE CASS COUNTY CASELOAD PLAN

Come now the judges of Cass County Indiana and request that this Court allow the Circuit and Superior courts of Cass County to operate under an exception to the 40 % variance presently required under Administrative Rule 1(E). In support thereof, the judges of courts of record of Cass County state that there is good cause to deviate from the 40 per cent variance and schedule for submission of caseload plans, and would show this Court that:

The Cass County courts presently operate under a plan which provides that

All juvenile delinquencies, children in need of services, child support enforcement, paternity, guardianships, and adoptions shall be filed in the Circuit Court. Small claims, independent protective order proceedings, and mental health cases shall be filed in Superior Court 1. All infractions shall be filed in Superior Court 2. All other civil matters not specifically set out above shall be filed in the court requested by initiating counsel.

...all class D felony cases shall be filed in Superior Court 1. All misdemeanors...shall be filed in Superior Court 2. All other felonies shall be assigned randomly in equal numbers to the two Superior courts. In cases involving multiple charges, the highest class of charge therein shall control case assignment in accordance with this rule. Cases involving multiple defendants shall be filed in the same Superior court randomly selected.

This present case allocation plan has resulted in the following utilization for 2005:

Cass Circuit – 0.79
Cass Superior 1 – 1.26
Cass Superior 2 – 1.22

The undersigned judges respectfully request that Cass County receive a six month extension to comply with Administrative Rule 1(E) and the Supreme Court schedule pursuant to the same rule.

The current Circuit court judge is not seeking reelection. Of the two judicial candidates, one is a deputy prosecutor who prosecutes juvenile cases, represents the welfare department and child support enforcement office, all cases heard exclusively in Circuit court. Therefore dependent upon the results of the next general election in November, the next caseload plan submitted by Cass County may be more than an allocation of additional cases to the Circuit docket, but a wholesale reallocation of all the case types in the county to equalize the workload of the respective courts and resolve conflicts with the potential new judge.

We verify that the foregoing is true.

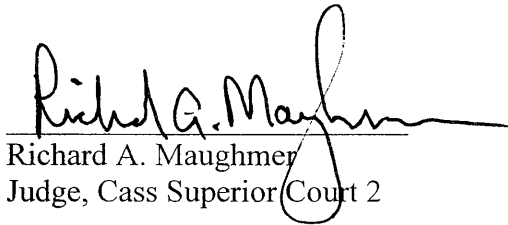
Respectfully submitted this 26th day of May 2006



Julian L. Ridlen
Judge, Cass Circuit Court



Thomas C. Perrone
Judge, Cass Superior Court 1



Richard A. Maughmer
Judge, Cass Superior Court 2